

## Message Text

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PAGE 01 STATE 213477  
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 /033 R

DRAFTED BY EB/AN:JBMAGNOR:BA  
APPROVED BY EB/AN:RABROWN  
EUR/NE:SWORRELL (SUBS)  
CAB:JRCHESSEN  
CAB:MPETT  
L/T:PMICKEY (INFO)  
-----000353 071818Z /53  
R 071535Z SEP 77  
FM SECSTATE WASHDC  
TO AMEMBASSY LONDON  
INFO AMEMBASSY PARIS  
AMEMBASSY OTTAWA

LIMITED OFFICIAL USE STATE 213477

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR: BILATERAL CHARTER NEGOTIATIONS

1. DURING THE BILATERAL CONSULTATIONS IN WASHINGTON  
AUGUST 15-18 BOTH SIDES AGREED TO SCHEDULE OF NEGOTIATIONS  
ON LONG-TERM CHARTER UNDERSTANDING AS FOLLOWS: OCTOBER 5  
WASHINGTON; OCTOBER 28 OR 31, LONDON; AND DECEMBER 5,  
WASHINGTON. US SIDE AGREED TO PROVIDE BRITISH WITH VARIOUS  
PAPERS SETTING FORTH US VIEWS WITH RESPECT TO ELEMENTS TO  
BE INCORPORATED IN CHARTER UNDERSTANDING. THESE PAPERS  
ARE IN PREPARATION, AND WE HOPE TO TRANSMIT THEM TO  
SHOVELTON BEFORE HE DEPARTS LONDON FOR MONTREAL.

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PAGE 02 STATE 213477

2. IN OUR VIEW, AN IMPORTANT AND DESIRABLE FEATURE OF  
NEW AGREEMENT WOULD BE INCORPORATED IN PROVISIONS RE-  
QUIRING THE DESIGNATION OF ONE GOVERNMENT AND THE LICENSING  
OF THE OTHER OF AIRLINES TO PERFORM CHARTER SERVICES. AS  
IN COMPARABLE PROVISIONS IN SCHEDULED AIR SERVICES AGREE-  
MENT, THIS FEATURE WOULD PRECLUDE THE NECESSITY OF AIRLINES  
OBTAINING PRIOR APPROVAL FOR EACH CHARTER FLIGHT OR GROUP

OF FLIGHTS, SO LONG AS SUCH FLIGHTS WERE CONSISTENT WITH THE AGREEMENT. IT IS POSSIBLE THIS CONCEPT WILL GIVE BRITISH PHILOSOPHICAL AND PERHAPS LEGAL PROBLEMS.

3. AS IN PAST, WHEN CHARTER ISSUES WERE RAISED, WE ANTICIPATE THAT IN UPCOMING NEGOTIATIONS BRITISH WILL JUSTIFY RELUCTANCE TO MOVE TOWARD LIBERALIZING CHARTER AIR SERVICES ON BASIS OF COMMITMENTS TO ECAC. WHILE ECAC HAS MANY OF THE OUTWARD FORMS OF AN INTERNATIONAL ORGANIZATION (E.G. A FULL-TIME STAFF), WE VIEW IT UNOFFICIAL ASSOCIATION OF DIRECTORS GENERAL OF AVIATION OF EUROPEAN GOVERNMENTS. SO FAR AS WE KNOW, NO GOVERNMENT HAS GIVEN ECAC OFFICIAL STATUS OR SURRENDERED ANY AUTHORITY OR SOVERIGNTY TO IT. ON OTHER HAND, DECISIONS AND RECOMMENDATIONS OF AN ASSOCIATION OF POLICY LEVEL GOVERNMENT OFFICIALS, HOWEVER UNOFFICIAL THAT ASSOCIATION MIGHT BE, HAS A CLEAR AND OBVIOUS EFFECT IN TURN UPON THE GOVERNMENTS AND THEIR POLICIES.

4. ACTION REQUESTED: EMBASSY IS REQUESTED COMMENT ON QUESTIONS RAISED PARAS 1 AND 2, ABOVE, I.E., CAN UK LEGALLY LICENSE AIRLINES TO PERFORM AGREED CHARTER AIR SERVICES WITHOUT REQUIRING APPROVAL FOR INDIVIDUAL FLIGHTS, OR SERIES OF FLIGHTS; AND DO "ECAC COMMITMENTS" (E.G., GEORGE ROGERS' SIGNATURE ON JUNE 1975 INTRA-ECAC MEMORANDUM OF UNDERSTANDING ON TRANSATLANTIC CHARTERS) LIMITED OFFICIAL USE

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PAGE 03 STATE 213477

CONSTITUTE AN OBLIGATION ON UKG OR UK DOT? WE REALIZE EMBASSY MAY HAVE TO RESORT TO BRITISH SOURCES IN PROVIDING ANSWERS TO THESE QUESTIONS, BUT WE PREFER THAT EMBASSY AVOID CONTACTING DOT. WOULD APPRECIATE INFO ADDRESSEES' COMMENTS.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, AGREEMENTS, NEGOTIATIONS  
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**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Number:** 1977STATE213477  
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**Drafter:** JBMAGNOR:BA  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Subject:** CIVAIR: BILATERAL CHARTER NEGOTIATIONS  
**TAGS:** EAIR, UK, US  
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**Review Markings:**  
Margaret P. Grafeld  
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